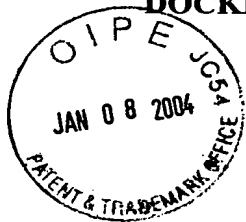


DOCKET NO.: CEPH-2311/CP201-A

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Kurt Allen Josef, et al.**

**Application No.: 10/717,773**

**Filing Date: November 20, 2003**

**For: HYDROXAMATE-CONTAINING CYSTEINE AND SERINE PROTEASE  
INHIBITORS**

**Confirmation No.: Not Yet Assigned**

**Group Art Unit: Not Yet Assigned**

**Examiner: Not Yet Assigned**

DATE OF DEPOSIT: *January 6, 2004*

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TYPED NAME: Elizabeth A. McLoud

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).



In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:
- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.
- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with § 1.97(e) is attached;
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- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.
- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

- ☒ In view of the voluminous nature of references 1, 4 and 20, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references 1-38 listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. 09/398,562, filed **September 17, 1999.**

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

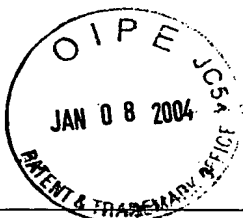
☐ The relevance of those listed references which are not in the English language is as follows:

☒ There are no listed references which are not in the English language.

Date: *January 6, 2004*

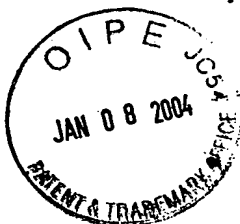
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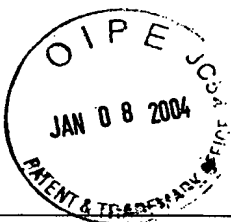
<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. CEPH-2311/CP201-A	Application No. 10/717,773
		Applicant Kurt Allen Josef, et al.	
		Filing Date November 20, 2003	Group Not Yet Assigned
		Confirmation No. Not Yet Assigned	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
*	1	Amin, A.R., <i>Cellular &amp; Molecular Life Sciences</i> , <b>1999</b> , 56(3-4)	
	2	Chen, M., <i>Frontiers in Bioscience</i> , <b>1998</b> , 3, A66-A75	
	3	Cuzzocrea, S., et al., "Calpain inhibitor I reduces the development of acute and chronic inflammation," <i>Am. J. Pathol.</i> , December <b>2000</b> , 157(6), 2065-2079	
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	5	Haas, M., et al., "Effect of proteasome inhibitors on monocytic I $\kappa$ B- $\alpha$ and - $\beta$ depletion, NF- $\kappa$ B activation, and cytokine production," <i>J. of Leukoc. Biol.</i> , March <b>1998</b> , 63, 395-404	
	6	Harbeson, S.L. et al., "Stereospecific Synthesis of Peptidyl $\alpha$ -Keto Amides as Inhibitors of Calpain", <i>J. Med. Chem.</i> , <b>1994</b> , 37, 2918-2929	
	7	Harriman, <i>J. of Pharm. &amp; Experi. Therapeu.</i> , <b>2000</b> , 294(3), 1083-1087	
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	9	Kavita, <i>J. Biol. Chem.</i> , <b>1995</b> , 270, 27758-27765	
	10	Kim, H., <i>J. of immunology</i> , <b>1995</b> , 154(9), 4741-4748	
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\* A copy of these references will not be forwarded to the U.S. Patent and Trademark Office since they are believed to be too voluminous and easily obtainable by the Examiner.

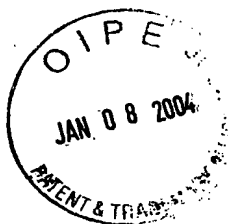


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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	11	Kitazawa, R., et al., "Interleukin-1 receptor antagonist and tumor necrosis factor binding protein decrease osteoclast formation and bone resorption in ovariectomized mice," <i>J. Clin. Invest.</i> , December 1994, 94, 2397-2406	
	12	Mavunkel et al., "Synthesis and opioid activities of some naltrexone oxime ethers," <i>Eur. J. Med. Chem.</i> , 1994, 29, 659-666	
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	14	Meyer, S.L. et al., "Biologically active monomeric and heterodimeric recombinant human calpain I produced using the baculovirus expression system", <i>Biochem. J.</i> , 1996, 314, 511-519	
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	<b>21</b> Rossi, <i>J. of Biol. Chem.</i> , <b>1998</b> , 273, 16446	
	<b>22</b> Rutsch, W., et al., <i>European Heart J.</i> , <b>1998</b> , 19 (Suppl. K), K11-K17	
	<b>23</b> Saez-Torres, <i>Clinical and Experimental Immunology</i> , <b>2000</b> , 121, 151	
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	<b>27</b> Steinberg, <i>The Scientist</i> , <b>2002</b> , 16, 22	
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	<b>30</b> Zuany-Amorim C., <i>European Journal of Pharmacology</i> , <b>1994</b> , 257(3), 211-216	
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Examiner Initial		Document No.	Date	Name	Class	Subclass
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	32	5,563,127	10/08/96	Amparo et al.	514	64
	33	5,610,297	03/11/97	Powers	544	168
	34	5,650,508	07/22/97	Powers	544	168
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	36	6,288,231 B1	09/11/01	Chatterjee, et al.	544	316

### FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	37	WO 96/39385	12/12/96	PCT		
	38	WO 98/25883	06/18/98	PCT		

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